

AN ACT

relating to the frequency of water audits by certain retail public utilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 16.0121, Water Code, is amended by amending Subsections (b), (c), and (f) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (b-1) ~~[Every five years]~~, a retail public utility providing potable water that receives from the board financial assistance shall perform and file with the board an annual [a] water audit computing the utility's ~~[most recent annual]~~ system water loss during the preceding year.

(b-1) A retail public utility providing potable water that does not receive from the board financial assistance shall perform and file with the board every five years a water audit computing the utility's most recent annual system water loss.

(c) The board shall develop appropriate methodologies and submission dates for a water audit required under Subsection (b) or (b-1) for the following categories of retail public utilities:

(1) retail public utilities serving populations of 100,000 or more;

(2) retail public utilities serving populations of 50,000 or more but less than 100,000;

(3) retail public utilities serving populations of

1 more than 10,000 [~~3,300~~] but less than 50,000; and

2 (4) retail public utilities serving populations of
3 10,000 [~~3,300~~] or less.

4 (f) The board shall compile the information included in the
5 water audits required by Subsections [~~Subsection~~] (b) and (b-1)
6 according to category of retail public utility and according to
7 regional water planning area. The regional planning group for a
8 regional planning area shall use the information to identify
9 appropriate water management strategies in the development of a
10 regional water plan under Section 16.053.

11 SECTION 2. Not later than May 1, 2013, a retail public
12 utility that receives financial assistance from the Texas Water
13 Development Board, or a retail public utility that serves a
14 population of more than 10,000, shall submit the first annual
15 report required by Section 16.0121, Water Code, as amended by this
16 Act. The initial water audit report submitted by a retail public
17 utility under that section shall compute the utility's most recent
18 annual system water loss.

19 SECTION 3. This Act takes effect September 1, 2011.

H.B. No. 3090

David Newhurst

President of the Senate

Joe Straus

Speaker of the House

I certify that H.B. No. 3090 was passed by the House on May 5, 2011, by the following vote: Yeas 144, Nays 2, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3090 on May 26, 2011, by the following vote: Yeas 138, Nays 1, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 3090 was passed by the Senate, with amendments, on May 24, 2011, by the following vote: Yeas 31, Nays 0.

Datsy Spaw

Secretary of the Senate

APPROVED: 17 JUN '11

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

4 PM O'CLOCK

JUN 17 2011

Debra McArthur

Secretary of State